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UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

John S. Beulick
Armstrong Teasdale LLP
One Metropolitan Sq., Suite 2600
St. Louis, MO 63102

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OFFICE OF PETITIONS

In re Application of :
Earley, et al. : DECISION ON PETITION
Application No. 10/072,391 :
Filed: February 5, 2002 :
Dkt. No.: 13DV-14119 :

This is a decision on the petition to withdraw the holding of abandonment under 37 CFR 1.181, filed January 18, 2006.

This application was held abandoned July 3, 2004 for failure to timely submit a proper reply to the communication mailed June 2, 2004. Notice of Abandonment was mailed November 29, 2005.

Petitioners assert that a response to the Office communication was timely submitted on June 18, 2004 and has submitted as proof of USPTO receipt of the response a return postcard dated stamped June 18, 2004.

The original response submitted June 18, 2004 has not been located. However, in view of the evidence presented, the petition to withdraw the holding of abandonment is hereby **GRANTED**.

The Notice of Abandonment is hereby **VACATED** and the holding of abandonment is **WITHDRAWN**.

The application file is being forwarded to Technology Center 2100 for further processing.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3205.

Alesia M. Brown
Petitions Attorney
Office of Petitions